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NORTHERN DISTRICT OF CALIFORNIA

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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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8 Attorneys for Plaintiff

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) No. CR 01-0204 MMC
14 Plaintiff,)
15 v.) STIPULATION REQUESTING
16 WILLIE BEASLEY,) CONTINUANCE OF HEARING, AND
17 Defendant.) [PROPOSED] ORDER

19
20 The United States and defendant Willie Beasley hereby stipulate as follows:

21 1. This matter is scheduled to come before this Court on February 13, 2008, at 2:30
22 p.m., for a status hearing on the pending petition for revocation of defendant's supervised release
23 ("pending Form 12").

24 2. The conduct that forms the basis for charges one and two in the pending Form 12
25 also forms the basis for a separate case against defendant: United States v. Willie Beasley, No.
26 CR 07-0057 CRB. Defendant has previously entered an open guilty plea in Case No. CR 07-
27 0057 CRB. Since entering that open guilty plea, defendant has negotiated with the United States
28 a plea agreement pursuant to Federal Rule of Criminal Procedure Rule 11(c)(1)(C). Defendant is

STIPULATION AND [PROPOSED] ORDER
CR 01-0204 MMC

1 scheduled to appear before Judge Breyer on February 13, 2008, at 2:15 p.m. At this next
2 appearance before Judge Breyer, defendant intends to seek permission to withdraw his open
3 guilty plea and to substitute for it a guilty plea pursuant to the Rule 11(c)(1)(C) agreement he has
4 negotiated with the government.

5 3. To allow for the process described in paragraph 2 above, the parties respectfully
6 ask this Court to continue by one week the appearance in the instant matter (CR 01-0204 MMC)
7 currently scheduled for February 13. If the Court grants this request for a one-week continuance,
8 it would be defendant's intention to appear before this Court on February 20 to admit the
9 violations charged in the pending Form 12 and to be sentenced on those violations.

10 IT IS SO STIPULATED.

11
12 DATED: February 1, 2008

Andrew Caputo for
MEGAN DIXON
Attorney for Defendant

14
15 DATED: February 1, 2008

Andrew Caputo
ANDREW P. CAPUTO
Attorney for the United States

19 [PROPOSED] ORDER

20 In accordance with the stipulation of the parties, the hearing currently set for February 13,
21 2008, before this Court is vacated and reset for February 20, 2008, at 2:30 p.m.

22 IT IS SO ORDERED.

23
24 DATED: FEB 16 2008

Maxine M. Chesney
HONORABLE MAXINE M. CHESNEY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the office of the United States Attorney, Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned certifies that she caused copies of

NOTICE OF CHANGE OF COUNSEL,

STIPULATION REQUESTING CONTINUANCE OF HEARING, AND [PROPOSED] ORDER

in the case of **UNITED STATES v. WILLIE BEASLEY, CR 01-0204 MMC** to be served on the parties in this action, by placing a true copy thereof in a sealed envelope, addressed as follows which is the last known address:

**Megan Dixon, Esq.
Heller, Ehrman, LLP
333 Bush Street
San Francisco, CA 94104**

- (By Personal Service), I caused such envelope to be delivered by hand to the person or offices of each addressee(s) above.
- (By Facsimile), I caused each such document to be sent by Facsimile to the person or offices of each addressee(s) above.
- (By Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Francisco, California.
- (By Fed Ex), I caused each such envelope to be delivered by FED EX to the address listed above.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 5, 2008

Karem Alvarez
KAREM ALVAREZ
United States Attorney's Office

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

USA,

Case Number: CR01-00204 MMC

Plaintiff,

CERTIFICATE OF SERVICE

v.

BEASLEY,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 6, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Andrew Caputo
U.S. Attorney's Office
450 Golden Gate Avenue
P.O. Box 36055
San Francisco, CA 94102

Octavio Magana
U.S. Probation Officer
450 Golden Gate Avenue
San Francisco, CA 94102

Dated: February 6, 2008

Richard W. Wiking, Clerk

Tracy Lucero

By: Tracy Lucero, Deputy Clerk